

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VLADI ZAKINOV, et al.,

Plaintiffs,

v.

RIPPLE LABS, INC., et al.,

Defendants.

Case No. 18-cv-06753-PJH

**ORDER RE MOTION FOR LEAVE TO  
SEEK RECONSIDERATION OF  
SEALING ORDER**

Re: Dkt. No. 270

Defendants in the above-captioned case have filed a motion for leave to file a motion for reconsideration of the court's August 15, 2023 order regarding the parties' motions to seal. See Dkt. 270. Defendants seek reconsideration of only the portion of the order pertaining to exhibit 13, defendants' non-public audited financial statements for the years 2018 and 2019.

Defendants argue that, after the time that the sealing motions were filed, the Southern District of New York court presiding over the case brought by the SEC against Ripple granted a request to seal the same document. See id. at 4. Defendants also cite cases from courts within the Ninth Circuit sealing similar documents. See, e.g., Brown v. Brown, 2013 WL 12400041 (N.D. Cal. Dec. 13, 2013).

Defendants point out that plaintiff did not oppose the motion to seal this exhibit, and defendants also represent that they have conferred with plaintiff and that he does not intend to take a position on the motion for reconsideration. See Dkt. 270 at 4, n.1.

After reviewing the arguments and the document itself, the court rules that, for the purposes of the class certification motion, which has already been heard and resolved,

the court will allow exhibit 13 to be sealed. Accordingly, defendants' motion for leave to seek reconsideration is GRANTED, and based on the representation that plaintiff does not intend to take a position on the motion, the court construes the motion as a motion for reconsideration and GRANTS reconsideration of the portion of the sealing order pertaining to exhibit 13. However, for purposes of summary judgment and trial, it is unlikely that the entirety of the narrative sections of the financial statements will meet the "compelling needs" standard, and will instead likely be admitted only with appropriate redactions.

**IT IS SO ORDERED.**

Dated: August 30, 2023

/s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON  
United States District Judge

United States District Court  
Northern District of California